



**IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.**

**Dated: January 29, 2020.**

**H. CHRISTOPHER MOTT  
UNITED STATES BANKRUPTCY JUDGE**

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

In Re:  
GUILLERMO PALLARES  
CARMEN C. PALLARES  
Debtors

§  
§  
§  
§

Case No. 18-30888-HCM-7

Chapter 7

**AGREED ORDER GRANTING MOTION TO SELL PROPERTY  
FREE AND CLEAR OF LIENS AND INTERESTS**

On December 12, 2019, the Court held a hearing on the Trustee's Motion to Sell Property Free and Clear of Liens and Interests pursuant to § 363(b)(f) and (h). Attorneys for the Trustee, the Debtor, and Bank of America appeared at the hearing. The Motion will be granted according to the agreement of council as set out below. It is therefore

ORDERED that Ronald Ingalls, Trustee, is authorized to sell the real property known as 8524 Wingo Way, El Paso, Texas 79907, with a legal description set out on Exhibit "A" (hereafter the "Property"), to DHL Investments, LLC, or assigns, for \$135,000.00.

IT IS FURTHER ORDERED that the sale is free and clear of liens and interests, provided:

- a. The lien of BANK OF AMERICA, N.A. and/or its assigns or successors in interest shall attach to the sales proceeds of the property.
- b. The sale proceeds shall be distributed to pay in full the outstanding balance on the loan owed to BANK OF AMERICA, N.A. and/or its assigns or successors in interest as of the date of closing, subject to a full and proper payoff quote.
- c. If there are not sufficient funds to pay the indebtedness in BANK OF AMERICA, N.A. and/or its assigns or successors in interest, then the sale shall not close unless prior approval of such short sale is received in writing from BANK OF AMERICA, N.A. Otherwise, the Trustee shall be required to seek further appropriate orders from this Court.
- d. The closing agent is ordered to pay the full claim of BANK OF AMERICA, N.A. and/or its assigns or successors in interest directly before any funds are paid to the Debtors, Trustee, or any other party not having priority over the lien of BANK OF AMERICA, N.A. and/or its assigns or successors in interest.

IT IS FURTHER ORDERED that the Trustee is authorized to pay the brokers commission, and other ordinary and necessary costs of closing. It is further

ORDERED that the ad valorem tax lien for tax years 2019 and prior pertaining to the subject property shall attach to the sales proceeds and that the closing agent and/or Trustee shall pay all ad valorem tax debt owed incident to the subject property immediately upon closing and prior to any disbursement of proceeds to any other person or entity; it is further

ORDERED that the ad valorem taxes for year 2020 pertaining to the subject property shall be prorated in accordance with the Earnest Money Contract and shall become the responsibility of the Purchaser and the 2020 ad valorem tax lien shall be retained against the subject property until said taxes are paid in full; it is further

ORDERED that the Trustee is authorized to execute all necessary documents that are necessary to complete the closing of this sale, including but not limited to extensions of time to close, for the temporary renting by the buyer prior to closing, and the like; it is further

ORDERED that the stay imposed by Federal Rule of Bankruptcy Procedure 6004(h) shall not apply, and this order shall be effective and enforceable immediately upon entry.

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AGREED:

/s/ Ronald Ingalls

Ronald Ingalls, Chapter 7 trustee

SBT 10391900

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Attorney for the Debtors

/s/ Megan F. Clontz (with permission)

Megan F. Clontz

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Attorney for Bank of America, N.A.

AGREED:

/s/ Ronald Ingalls

Ronald Ingalls, Chapter 7 trustee

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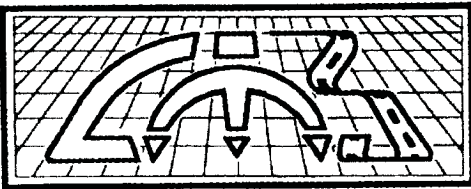
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Attorney for Bank of America, N.A.

## EXHIBIT “A”



## ***Land - Mark Professional Surveying Inc.***

*"Serving Texas, New Mexico and Arizona"*

### **METES AND BOUNDS DESCRIPTION**

*8524 WINGO WAY*

**A 0.4496 ACRE PARCEL OF LAND BEING A PORTION OF LOT 3, BLOCK 5, SECOND AMENDED MAP OF WEST YSLETA, EL PASO COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**COMMENCING** for reference at a 5/8" rebar with cap stamped "LAND-MARK TX4869 NM11402", set in the southwesterly right-of-way line of Wingo Way (40.0 feet wide) and at the easterly common boundary corner of Lots 2 and 3, Block 5, Second Amended Map of West Ysleta, for a corner of this parcel and the **POINT OF BEGINNING** of this parcel;

**THENCE**, South 43°12'00" West, with the northwesterly boundary line of Lot 2 and continuing with Lot 1, Block 5, Second Amended Map of West Ysleta, a distance of 218.60 feet to a 5/8" rebar with cap stamped "LAND-MARK TX4869 NM11402", set in the northeasterly right-of-way line of Franklin Canal (80.0 feet wide) for a corner of this parcel;

**THENCE**, North 46°48'00" West, with said northeasterly right-of-way line, a distance of 89.60 feet to a 5/8" rebar with cap stamped "LAND-MARK TX4869 NM11402", set for corner of this parcel;

**THENCE**, North 43°12'00" East a distance of 218.60 feet to a 5/8" rebar with cap stamped "LAND-MARK TX4869 NM11402", set in said southwesterly right-of-way line of Wingo Way, for a corner of this parcel;

**THENCE**, South 46°48'00" East, with said southwesterly right-of-way line, a distance of 89.60 feet to the **TRUE POINT OF BEGINNING**.

Said parcel contains 0.4496 acres (19,587 square feet) more or less.

*[Handwritten signature]* 02-25-05  
 LARRY L. DREWES R.P.L.S.  
 Texas License No. 4869

Date: January 25, 2005  
 Job No. 05-03-20819A

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